

Residential Properties which may contain Contaminated Fill from the General Electric Company (GE)

Questions & Answers

Prepared by:

**The Massachusetts Department of Environmental Protection (DEP)
in conjunction with
The United States Environmental Protection Agency (EPA),
together, “the Agencies”**

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Sampling

If I request that my property be tested because I suspect GE fill to be present, what exactly happens next? What is the process that is put into motion?

If DEP finds that there is credible information indicating that GE fill may be present on your property, DEP will require GE to approach you to request access for testing. GE will meet with you to gather information to develop an initial investigation plan. GE will ask that you sign an access agreement to allow GE to perform the required work. GE will submit a plan to DEP that details their planned investigation for your property. DEP will review the plan and approve it (possibly with conditions) and you will be notified by GE before sampling begins. In approximately 45 days from DEP's approval of the sampling plan, you and DEP will receive a report from GE that discusses the results and proposes next steps, if necessary.

Who determines which properties are tested, and how is this determined?

DEP determines which properties are tested and have established criteria for screening. These criteria include information on the source of fill, physical evidence of fill, anecdotal information regarding GE fill, etc. For each property where PCBs are detected, GE is required to determine the extent of fill. If there is any evidence that the fill may extend beyond the property boundaries, neighboring properties are subsequently tested (under the process described above) and continue to be tested until the extent of fill in the area is defined.

Who decides where the sampling locations are and how many samples are taken?

In areas of suspected fill, a sampling grid is used to collect samples every 25 feet. GE proposes a plan containing proposed surface soil and deep boring sampling locations based on the information available about a specific property. The property owner and DEP each receive a copy of the proposal. DEP consults with the property owners and reviews, comments and approves the plan before work begins.

Why are monitoring wells required on some of the properties?

An extensive investigation of a contaminated property includes an evaluation of possible impacts to ground water. DEP requires use of monitoring wells on all properties with extensive contamination. Some of the contaminants that have been found on some properties may impact ground water, if present in sufficient concentration.

My neighbor knows he has GE fill on his property, but is afraid to come forward. He says he doesn't want to know whether the property is contaminated. Can DEP investigate this without disclosing how the information was obtained? If DEP says that someone provided the information anonymously, he'll know it came from me.

The Agencies have received several anonymous tips that have led to sampling. No sampling has occurred without a property owner allowing access. We will work with the homeowner to allow access to GE to complete sampling. If there is fill on a property, several people may have knowledge about it: the source(s) of the fill, the property owner at the time of filling, neighbors in the area at the time of fill, the truck drivers and personnel who hauled, loaded and unloaded the fill and other people in the neighborhood may have spoken about it. If you choose to remain anonymous, the Agencies will honor your request.

How do I obtain a copy of the test results for my neighbor's property?

While we respect the privacy of the homeowners to the degree allowed by law, the sampling results and related information is public. The data and reports are in the local information repositories. The public information repositories are listed at the end of this document. Also, the data are available for public review at the DEP office in Springfield, as it is with all hazardous waste sites, every Wednesday from 9 - 12, and 1 - 4. You should call ahead (413 - 784-1100) to ensure that there have been no changes in schedule. The GE residential fill properties are filed under their tax parcel identification numbers.

Additionally, if contamination on your neighbor's property extends to your property boundary, you will be notified directly and requested to allow access to your property to determine if the contamination extends beyond the parcel boundary onto your property.

What about those of us that live within the neighborhoods where there are properties which contain fill from GE; will sampling of our properties be performed so we don't have to convince future buyers (of our properties) that our properties are not contaminated? Will we have something in writing from the DEP or EPA explaining why our properties aren't sampled?

No wide-scale sampling is planned at this time. We are investigating and will investigate properties where, based on credible information, GE fill may be located. For each property where PCBs are detected, a complete property survey is conducted by GE to determine the extent of fill. If there is any evidence that the fill may extend beyond the property boundaries, the neighboring properties are subsequently tested and continue to be tested until the extent of fill in the area is defined. However, if there is no sampling

performed at a property, there will not be something in writing from DEP, but we are always available to answer questions from homeowners and prospective homeowners.

Why doesn't GE just sample the entire neighborhood where PCB-contaminated fill has been found?

Sampling must be based on reasonable basis and credible information suggestive that there may be a problem related to GE fill.

(From children's daycare facilities within neighborhoods containing GE fill)

What assurances can I give to parents that it's safe for their children to be here unless some soil testing is done?

The contamination we are encountering in fill does not move from the soil of one property to the soil of another. PCBs and related contamination from GE is associated with certain conditions, such as fill on a property, or property location within the 5-year floodplain. You may want to determine who owned your property in the past and inquire whether they have any information about fill or other relevant conditions.

Even if you have fill on your property, it may not be PCB-contaminated fill. If you have questions, you should consult with DEP to determine if the situation warrants sampling.

How long does it take to obtain the sampling results?

Sampling results are typically obtained within 45 days of DEP's approval of sampling. The process involves collection of the sample and subsequent laboratory analysis, preliminary reporting of results, and then the incorporation of the final laboratory results into a report that interprets the importance of the data and proposes additional work. All of this work is being conducted as quickly as possible. DEP considers 45 days to be fast for this type of work. Additionally, given that several properties are being investigated all at once, DEP and GE have agreed to prioritize investigations based on the likely exposures and extent of contamination.

If I change my mind about having my property tested now, can I expect GE to sample it sometime in the future, when I decide I want to sell my property?

Not necessarily. From DEP's perspective, now is the best time to determine if your property is contaminated, if you have reason to believe that it may be. If you have reason to believe that there may be contamination on your property, DEP encourages you to come forward now. There are no assurances that DEP will require GE to investigate your property in the future unless there is credible evidence indicating that GE fill is located on your property. Also,

once you are aware that there may be contaminated fill on your property, your awareness may initiate the "statute of limitations," which gives you a set period of time to pursue any legal claims you may have.

If I decide that I don't want my property tested, am I responsible and/or liable for what may be on the property? Would I have an obligation to a future buyer to disclose that I had originally requested that my property be tested, but then changed my mind?

Whether you are liable for any contamination on your property depends on the type, concentration, quantity and location of contamination, as well as when the property became contaminated, when the release occurred, and who caused the contamination.

You may have an obligation to disclose known conditions on your property if asked, but you should talk to an attorney or real estate agent for advice.

Remediation

Will all the contaminated fill be removed from the property?

Not necessarily. The DEP must ensure that the concentrations of chemicals remaining in the soil post remediation pose no significant risk to human health or the environment. The remedial action that DEP will approve is dependent upon site-specific circumstances, including whether the home is placed on fill, the structural integrity of the home, the depth of contaminated fill and the type and concentration of contamination at depth. DEP's default soil standard for PCBs at residential properties is an average of less than or equal to 2 ppm, excluding hotspots. DEP also requires an evaluation of the feasibility of achieving background levels at a property.

How deep will GE be forced to dig in order to remove contaminated fill?

Remedial actions may be different for each contaminated property, depending on the extent and type of contamination and structural constraints on removal. A site-specific evaluation will be conducted for each property. The extent of removal may also differ if an "activity and use limitation" (such as, a deed restriction that limits uses that occur on the property) is placed by the property owner. Any activity and use limitations which a property owner proposes as part of a cleanup would require approval by DEP. GE's purchase of a residential property could affect the depth of removal if GE places an appropriate activity and use limitation on the property, but would not change the requirement to achieve no significant risk. Removal below 15 feet below ground surface will likely not be required by DEP.

Will GE remove any contaminated fill from beneath my house?

If there is contaminated fill beneath your home, depending on the risk, location, structural feasibility and cost, DEP may not require, and it may not be possible for, removal of contamination from beneath your home. However, DEP will require GE to investigate whether, and to what extent, there is any health or environmental risk (if any) posed from contamination beneath a building.

How long will the cleanup take once started?

Not all properties that will be investigated will require cleanup. The duration of the cleanup will depend on access, the size and difficulty of the cleanup (the aerial extent of contamination, the depth of the soil to be removed and any structural constraints that may affect the process, placement of reinforced sheeting to allow removal, etc.)

Will my family and I have to move during the cleanup? If so, would someone pay for that?

Typically not, however, the need to move during remediation may be necessary or preferable during the remediation of some properties. This is dependent upon many site-specific factors such as the extent of remediation, location of any necessary removal action in relation to your home, and many other factors. GE has expressed a willingness to work with the homeowner involved to handle any temporary relocation issues, if necessary.

If GE buys a residential property, does that mean they can just put up a fence, and not have to clean them?

If GE purchases a property, GE has expressed its intention to remediate the property to allow intensive recreational use consistent with the residential character of the neighborhood, without the need for fences. This would include remediation of the surface soil (where the most intense exposures occur), as necessary, to allow for safe use. However, as with any property owner, GE would have the right to fence any or all portions of its property; but, any such fence would not be necessary for restricting exposures, nor would it be required by DEP. GE has stated its intentions that other than as temporary measures, it does not intend to fence or pave properties in residential neighborhoods.

If GE purchases a residential property and converts it into park or recreational area, is this okay with the Agencies?

If there is a sufficient cleanup, this would be acceptable to the Agencies. If the plan is to make these properties into parks or recreational areas in order to have a more limited removal effort, this is an option, but not one that has been accepted or rejected by DEP. DEP would consider GE's proposal and feasibility evaluation in such a case. The feasibility evaluation must include an evaluation of the feasibility of achieving background.

Nature of Contamination

What does GE fill look like?

The look of GE fill is highly variable. However, the presence of non-native soil objects, such things as scrap metal, broken porcelain insulator parts, wood block flooring, etc., often appears in fill from GE. Additionally, some people have reported problems with the growth of vegetation. However, we have no reason to believe that poor vegetative growth alone indicates the presence of GE fill. Materials that are solely consistent with household-type debris (cans, bottles, etc.) or construction debris (nails, bricks); when present alone, are not strong indicators of the potential for contamination.

How can you explain finding 20,000 ppm on one property, and not find anything on another property just 10 feet away?

The contaminants in the fill are not evenly distributed on a property. Such high levels, like 20,000 ppm may be indicative of formerly-saturated materials that have bonded to soils or fuller's earth. Fuller's earth is an absorbent clay-like material that was used in filtering Pyranol and used in absorbing spills. The contamination is bound to the soil it has contaminated and the soil does not travel across a property, or from one property to another.

What other kinds of contamination are being found besides PCBs?

Contaminants other than PCBs, detected at some properties, at levels of concern include semi-volatile organic compounds, metals, dioxins and furans.

When the streams/creeks near the contaminated properties overflow/flood, does that cause the PCBs to get to my property?

It may. It is dependent on the amount of sediment in the creek or stream, the presence of PCB contamination in the sediment and the level of that PCB contamination. DEP are currently requiring GE to investigate the extent of contamination in sediment and adjacent bank soils.

Why is DEP not concerned about PCB concentrations below 2 ppm?

Statewide, DEP has established a generic or general default cleanup level of 2 ppm for PCBs for residential use. Average PCB levels below 2 ppm are not considered to pose significant risk for residential use. A site-specific risk assessment may be conducted for a site which may result in slightly different cleanup value.

Do PCBs move through the soil?

PCBs, by and large, do not migrate through subsurface soil. Two important physical characteristics of PCBs are that they tend to cling to soil particles and that they do not dissolve easily in water. This means that PCBs are not moving around underground, but will remain where they were placed.

Health Concerns

(From a property owner with high levels of contamination on property)

I've worked at GE for over 20 years, and have lived on this property without exhibiting any adverse health effects; so why should I consider leaving or selling my property, or changing my daily outdoor routines?

While we cannot predict whether someone who has been exposed to PCBs will experience an adverse health effect, we do know that every exposure can increase the body's burden of PCBs. DEP and EPA have recommended several actions you may take if you would like to reduce your exposures to PCBs - until the time a final cleanup is complete. These are listed in the PCB Fact Sheet.

A few people in my family who lived on this contaminated property have died from cancer; is their death from cancer related to the fill on the property?

It is difficult to determine whether a person's cancer was caused by PCB exposure because there are so many people who get cancer and so many causes of cancer. The risk that a person will develop cancer in his or her lifetime from any cause is about 1 in 3. We do know that laboratory animals that were fed PCBs developed liver cancer. However, studies of people exposed to PCBs, including workers exposed to high levels of PCBs, have not provided definitive evidence that PCBs cause cancer in humans. The PCB Fact Sheet provides more information about the potential health effects from PCB exposures and provides recommendations about ways to minimize potential exposure.

How do I know if I've been exposed to PCBs?

There are tests to find out if PCBs are in your blood, body fat, and breastmilk. Because PCBs are found throughout the environment, nearly everyone is likely to have some measurable amounts of PCBs in their body, whether or not they live in Pittsfield. In the United States, average PCB levels in blood among people who have not had exposure in the workplace range from 2 to 8 ng/mL (parts per billion). Studies have consistently shown that serum PCB levels increase with age and are correlated to factors such as fish consumption and exposures to PCBs at work. Elevated levels of PCBs in comparison to the general population will show that you have been exposed to PCBs. The tests do not determine the source of your exposure, the exact amount or type of PCBs you have been exposed to, how long you have been exposed, or predict whether you will develop harmful health effects. If you do not have elevated levels of PCBs in your body, it is very unlikely that you have an increased risk of developing harmful health effects compared with the general population.

Blood tests are the easiest and safest method for detecting recent exposures to large amounts of PCBs. If you are concerned and want to find out whether you have been exposed to PCBs, you should contact your doctor or call the Massachusetts Department of Public Health at 1-800-240-4266.

For additional information, contact:

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INFORMATION REPOSITORIES

To provide Berkshire County residents with easy access to information relevant to the investigation and cleanup of the Housatonic River and GE Pittsfield sites, EPA and DEP have established Information Repositories at the following locations:

- Berkshire Athenaeum Public Library, Pittsfield, (413) 499-9488
- Berkshire County Regional Planning Commission, Pittsfield, (413) 442-1521
- Lenox Public Library, Lenox, (413) 637-0197
- Simon's Rock College of Bard, Great Barrington, (413) 528-7274

All repositories contain official correspondence (Scopes of Work, reports and documents regarding the sites). Information is sent to the repositories as it becomes available. All correspondence is also available for public review at the DEP office in Springfield, every Wednesday from 9 – 12, and 1 – 4.